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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) CR No.: 09-1068 MHP

Plaintiff,)

v.)

NOE PARRA OROZCO,)
a/k/a Onofre Avalos-Ramos,)
a/k/a Irvin Ereda Ramos,)
a/k/a Joel Tafolla,)
a/k/a Joel Tafolla Parra,)
a/k/a Julio Cesar,)
a/k/a Jorge Luis Rivera Corona,)

Defendant.)

**STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME UNDER 18
U.S.C. § 3161**

On November 23, 2009, the parties in this case appeared before the Court for a status conference. At that time, the Court set a further status / change of plea hearing for December 14, 2009, at 10:00 a.m. The parties also agreed to exclude the period of time between November 23, 2009 and December 14, 2009 from any time limits applicable under 18 U.S.C. § 3161. The parties represented that granting the exclusion would allow the reasonable time necessary for

effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A). At the hearing, the Court made findings consistent with this agreement.

SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

DATED: December 7, 2009

/s/
KEVIN J. BARRY
Assistant United States Attorney

DATED: December 7, 2009

/s/
LOREN G. STEWART
Attorney for NOE PARRA-OROZCO

~~PROPOSED~~ ORDER

For the reasons stated above and at the November 23, 2009 hearing, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from November 23, 2009 through December 14, 2009 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(8)(A). The failure to grant the requested exclusion of time would deny counsel for the defendant and for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(iv).

IT IS SO ORDERED.

DATED: 12/8/2009



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)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	EXCLUDING TIME UNDER 18 U.S.C. §
v.)	3161
)	
NOE PARRA OROZCO,)	ATTESTATION OF FILER
)	
Defendant.)	
_____)	

In addition to myself, the other signatory to this document is Loren G. Stewart. I hereby attest that I have obtained her permission to file this document with her conformed signature.

DATED: December 7, 2009

_____/s/ Kevin J. Barry

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ATTESTATION OF FILER
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